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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,313	12/18/2001	Kazuhisa Fujimoto	HITA.0140	8375

7590

01/10/2005

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/020,313	FUJIMOTO, KAZUHISA	
	Examiner	Art Unit	
	Etienne P LeRoux	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-34 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Status

Claims 19-34 are pending. Claims 1-19 have been canceled. Claims 19-34 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19-21, 28, 29, 31 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by US Pat No 6,675,200 to Cheriton et al (hereafter Cheriton).

Claims 19-21, 28 and 29:

Cheriton discloses:

- an input/output unit coupled to the IP network [col 3, lines 5-10]
- a control unit coupled to the input/output unit [Fig 6, 630]
- a plurality of disk drives coupled to the control unit, wherein the input/output unit is assigned to a first identifier [RID, col 3, lines 48-53] for receiving block I/O requests via the IP network and is assigned to a second identifier [RID, col 3, lines 48-53] for receiving file I/O requests via the IP network

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- wherein the plurality of disk drives [abstract] are configured into a plurality of volumes each of which is designated to store either data related to the block I/O requests or data related to the file I/O requests [col 3, lines 39-47].

Claims 31 and 34:

Cheriton discloses wherein the control unit converts file data into a storage format for storing in the disk drives and converts the storage format data back into file data for outputting [Fig 5C].

Claims 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No US 2002/0152339 to Yamamoto (hereafter Yamamoto).

Claim 19:

Yamamoto discloses:

- an input/output unit coupled to the IP network [Fig 3, 70]
- a control unit coupled to the input/output unit [Fig 1, 14]
- a plurality of disk drives [Fig 1, 20] coupled to the control unit, wherein the input/output unit is assigned to a first identifier [paragraph 2] for receiving block I/O requests via the IP network and is assigned to a second identifier [paragraph 22] for receiving file I/O requests via the IP network
- wherein the plurality of disk drives are configured into a plurality of volumes each of which is designated to store either data related to the block I/O requests or data related to the file I/O requests [paragraph 28]

Claim 20:

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Yamamoto discloses wherein the control unit has a file system which executes the file I/O request [Fig 1, 28] and a volume management means which executes the block I/O requests [Fig 1, 26]

Claim 21:

Yamamoto discloses wherein the first identifier and the second identifier are respectively a port number specified in TCP packets included in either the block I/O request or the file I/O request.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-27, 30, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheriton in view of Luby.

Claims 22, 23, 25 and 26:

Cheriton discloses:

- an input/output unit coupled to the IP network [col 3, lines 5-10]
- a control unit coupled to the input/output unit [Fig 6, 630]
- a plurality of disk drives coupled to the control unit, wherein the input/output unit is assigned to a first identifier [RID, col 3, lines 48-53] for receiving block I/O requests via

the IP network and is assigned to a second identifier [RID, col 3, lines 48-53] for receiving file I/O requests via the IP network

- wherein the plurality of disk drives [abstract] are configured into a plurality of volumes each of which is designated to store either data related to the block I/O requests or data related to the file I/O requests [col 3, lines 39-47].

Cheriton discloses the essential elements of the claimed invention as noted above except for an input/output port. Luby discloses an input/output port [col 10, lines 36-45]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cheriton to include an input/output port as taught by Luby for the purpose of designating the means of processing the Internet packet once it reaches its destination [col 10, lines 36-53].

Claims 24 and 27:

Cheriton discloses wherein the first identifier and the second identifier are respectively information related to a port number specified in the TCP packets [Fig 6] included in either the block I/O request or the file I/O request.

Claim 30:

Cheriton discloses the essential elements of the claimed invention per claim 28 but fails to disclose the first identifier and the second identifier are respectively information related to a port number specified in TCP packets included in either the block I/O request or the file I/O request. Luby discloses the first identifier and the second identifier are respectively information related to a port number specified in TCP packets included in either the block I/O request or the file I/O request [col 10, lines 36-45]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cheriton to include the first identifier and the

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second identifier are respectively information related to a port number specified in TCP packets included in either the block I/O request or the file I/O request as taught by Luby for the purpose of designating the means of processing the Internet packet once it reaches its destination [col 10, lines 36-53].

Claims 32 and 33:

Cheriton discloses wherein the control unit converts file data into a storage format for storing in the disk drives and converts the storage format data back into file data for outputting [Fig 5C].

Response to Arguments

Applicant's arguments filed 10/18/2004 with respect to new claims 19-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (571) 272-4022.

The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

1/3/2005


SAFET METJAHIC
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